

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9274 OF 2024

Mr. Dushyant A. Soni

}*Petitioner*
(*Orig. Respondent*)

: *Versus* :

Mr. Dilip Trivedi

}....*Respondent*
(*Orig. Applicant*)

Mr. Nikhil Seth, *for the Petitioner.*

Mr. Prathamesh Bhargude *a/w. Ms. Samruddhi Patil and Mr. Pramod Dhurve i/by. Mr. K. Amol, for the Respondent.*

CORAM : SANDEEP V. MARNE, J.

Dated : 4 July 2024.

P.C. :

1) The challenge to the present petition is to the order dated 13 June 2024 passed by the Additional Divisional Commissioner, Konkan Division rejecting the revision petition filed by the Petitioner and confirming the eviction order dated 5 March 2024 passed by the Competent Authority.

2) Admittedly, the tenure of License Agreement has come to an end by 31 July 2020. It appears that on account of Covid-19 Pandemic, the

Petitioner was permitted to occupy the premises by the Licensor upto December 2020. Even the said extended period has come to an end.

3) The only defence that is sought to be put up by the Petitioner is about execution of Receipt-Cum-Confirmation dated 12 March 2021 by which the suit premises were allegedly agreed to be sold by the Licensor to him. It appears that Petitioner has already filed S.C. Suit No. 2642 of 2023 before the City Civil Court at Dindoshi seeking specific performance of the Receipt-Cum-Confirmation dated 12 March 2021.

4) In that view of the matter, it would be for the Petitioner to prosecute his remedy in respect of the alleged agreement for sale before the City Civil Court. The issue with regard to the Agreement for Sale cannot be contested before the Competent Authority. The period of license has come to an end. Therefore, the Petitioner has to vacate the suit premises. I am informed that the City Civil Court has infact rejected the application filed by the Petitioner for seeking temporary injunction. Be that as it may, the jurisdiction of the Competent Authority under Section 24 of the Maharashtra Rent Control Act, 1999 is in extremely narrow compass. Upon expiration of the period of license, the licensee must vacate the suit premises. In that view of the matter, no case is made out for interference in the impugned orders. The Writ Petition is **rejected**.

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[SANDEEP V. MARNE, J.]